IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

MACA.No. 1082 of 2007()

AGAINST THE ORDER DATED 02/02/2007 IN OPMV.982/1997 of ADDL. MOTOR ACCIDENT CLAIMS TRIBUNAL, PALAKKAD
.....

APPELLANT/3RD RESPONDENT:

THE ORIENTAL INSURANCE CO.LTD., MUVATTUPUZHA, REPRESENTED BY ITS ASSISTANT MANAGER, REGIONAL OFFICE, ERNAKULAM NORTH, KOCHI-18.

BY ADV. SRI.GEORGE CHERIAN (THIRUVALLA)

RESPONDENTS: RESPONDENTS 1 & 2
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1. T.C.RAJAN, S/O.CHAMIYAR, RESIDING AT KUNNAM KATTU KALAM, CHITTADI P.O., VANDAZHI, VADAKKANCHERY, PALAKKAD DISTRICT.

2. V.CHENTHAMARA, S/O.VELAYUDHAN, RESIDING AT ALAMPOTTA, NALLEPPILLY, PALAKKAD DISTRICT.

BY

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR ADMISSION ON 06/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

M.A.C.A.NO.1082 OF 2007 ()

Dated this the 6th day of July, 2007

J U D G M E N T

KOSHY,J.

Insurance company is challenging the appeal. Total amount awarded is only Rs.11,386/-, which is below compensation payable under Section 140. Only question is whether the driver was having a driving licence or whether driving licence produced is false or not. Considering the amount involved without prejudice to raise the contentions in the connected appeal, we are of the opinion that this appeal need not be admitted and hence this appeal is dismissed.

J.B.KOSHY, JUDGE

K.P.BALACHANDRAN, JUDGE

prp

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

M.F.A.NO. OF 2006 ()

J U D G M E N T

2nd July, 2007